

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HECTOR RIVERA,

Plaintiff,

-against-

ATTORNEY CONNOR MCNAMARA, ET
AL.,

Defendants.

23-CV-9530 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is detained on Rikers Island, filed this action *pro se* and *in forma pauperis* (“IFP”). In his pleadings, Plaintiff asserted claims that could be construed as seeking *habeas corpus* relief under 28 U.S.C. § 2241. (ECF 1, 9, 10.) By order and judgment dated July 16, 2024, the Court dismissed the action for failure to state a claim and on immunity grounds. (ECF 11, 12.) Because Plaintiff’s pleadings made no substantial showing of a denial of a constitutional right, the Court declines to issue a certificate of appealability with respect to the Court’s July 16, 2024 order and judgment.¹ See 28 U.S.C. § 2253.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: January 17, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge